

ORIGINAL

In the United States Court of Federal Claims

No. 17-606C

(Filed: June 2, 2017)

JEROME CLARKE

Plaintiff,

v.

THE UNITED STATES,

Defendant.

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FILED

JUN - 2 2017

U.S. COURT OF
FEDERAL CLAIMSDISMISSAL ORDER

On May 3, 2017, Mr. Jerome Clarke filed a complaint in this Court alleging that he was convicted of murder as a result of wrongdoing by Georgia state prosecutors. Dkt. No. 1. Mr. Clarke is incarcerated and appearing *pro se*. According to 28 U.S.C. § 1915(g), a prisoner may not bring a civil action if he has had more than three civil actions dismissed as frivolous, malicious, or for failure to state a claim upon which relief can be granted unless the prisoner is under imminent threat of serious physical injury. Mr. Clarke has previously had three civil cases dismissed under § 1915(g). Clarke v. Robinson, No. 16-cv-968, 2016 WL 4445650 (N.D. Ga. Aug. 24, 2016).


After careful review of the complaint, the Court concludes that Mr. Clarke has failed to allege facts showing he is under imminent threat of serious physical injury. As a result, because Mr. Clarke has previously filed at least three complaints that were dismissed as frivolous, malicious, or for failure to state a claim, he must pay the full filing fee. See 28 U.S.C. § 1915(g).

On May 10, 2017, this Court ordered Mr. Clarke to pay the \$400 filing fee on or before May 31, 2017. Dkt No. 5. To date, Mr. Clarke has not paid the mandatory filing fee. Therefore, this case is dismissed for failure to prosecute. The Clerk of Court is directed to enter judgment accordingly.

On May 24, 2017, Mr. Clarke submitted a “Supplemental Informa Pauperis Quid Pro Quo Proceedings Affidavit.” The Clerk of Court is directed to file this document as a motion to proceed *in forma pauperis*. However, since Mr. Clarke’s case is dismissed pursuant 28 U.S.C. § 1915(g), this motion is DENIED as moot.

The Court further enjoins Mr. Clarke from filing any new documents without first obtaining leave of this Court. The Clerk of Court is directed to reject all future complaints and correspondence from Mr. Clarke unless filed by leave of this Court.

IT IS SO ORDERED.


THOMAS C. WHEELER
Judge